



General Assembly

Amendment

January Session, 2011

LCO No. 6716

SB0113806716SR0

Offered by:
SEN. MCKINNEY, 28th Dist.

To: Subst. Senate Bill No. 1138 File No. 427 Cal. No. 243

"AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 10-233c of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2011*):

5 (a) Any local or regional board of education may authorize the
6 administration of the schools under its direction to suspend from
7 school privileges any pupil whose conduct on school grounds or at a
8 school sponsored activity is violative of a publicized policy of such
9 board or is seriously disruptive of the educational process or
10 endangers persons or property or whose conduct off school grounds is
11 violative of such policy and is seriously disruptive of the educational
12 process. In making a determination as to whether conduct is seriously
13 disruptive of the educational process, the administration may consider,
14 but such consideration shall not be limited to: (1) Whether the incident
15 occurred within close proximity of a school; (2) whether other students

16 from the school were involved or whether there was any gang
17 involvement; (3) whether the conduct involved violence, threats of
18 violence or the unlawful use of a weapon, as defined in section 29-38,
19 and whether any injuries occurred; and (4) whether the conduct
20 involved the use of alcohol. Any such board may authorize the
21 administration to suspend transportation services for any pupil whose
22 conduct while awaiting or receiving transportation to and from school
23 endangers persons or property or is violative of a publicized policy of
24 such board. Unless an emergency exists, no pupil shall be suspended
25 without an informal hearing by the administration, at which such
26 pupil shall be informed of the reasons for the disciplinary action and
27 given an opportunity to explain the situation, provided nothing herein
28 shall be construed to prevent a more formal hearing from being held if
29 the circumstances surrounding the incident so require, and further
30 provided no pupil shall be suspended more than ten times or a total of
31 fifty days in one school year, whichever results in fewer days of
32 exclusion, unless such pupil is granted a formal hearing pursuant to
33 sections 4-176e to 4-180a, inclusive, and section 4-181a. If an emergency
34 situation exists, such hearing shall be held as soon after the suspension
35 as possible.

36 (b) In determining the length of a suspension period, the
37 administration may receive and consider evidence of past disciplinary
38 problems which have led to removal from a classroom, suspension or
39 expulsion of such pupil.

40 (c) Whenever any administration suspends a pupil, such
41 administration shall not later than twenty-four hours after the
42 suspension notify the superintendent or such superintendent's
43 designee as to the name of the pupil against whom such disciplinary
44 action was taken and the reason therefor.

45 (d) Any pupil who is suspended shall be given an opportunity to
46 complete any classwork including, but not limited to, examinations
47 which such pupil missed during the period of suspension.

48 (e) For any pupil who is suspended for the first time pursuant to
49 this section and who has never been expelled pursuant to section 10-
50 233d, the administration may shorten the length of or waive the
51 suspension period if the pupil successfully completes an
52 administration-specified program and meets any other conditions
53 required by the administration. Such administration-specified program
54 shall not require the pupil or the parent or guardian of the pupil to pay
55 for participation in the program.

56 (f) Whenever a pupil is suspended pursuant to the provisions of this
57 section, notice of the suspension and the conduct for which the pupil
58 was suspended shall be included on the pupil's cumulative
59 educational record. Such notice shall be expunged from the cumulative
60 educational record by the local or regional board of education if a
61 pupil graduates from high school, or in the case of a suspension of a
62 pupil for which the length of the suspension period is shortened or the
63 suspension period is waived pursuant to subsection (e) of this section,
64 such notice shall be expunged from the cumulative educational record
65 by the local or regional board of education (1) if the pupil graduates
66 from high school, or (2) if the administration so chooses, at the time the
67 pupil completes the administration-specified program and meets any
68 other conditions required by the administration pursuant to said
69 subsection (e), whichever is earlier.

70 (g) [On] Except as provided in subsection (h) of this section, on and
71 after July 1, 2010, suspensions pursuant to this section shall be in-
72 school suspensions, unless during the hearing held pursuant to
73 subsection (a) of this section, (1) the administration determines that the
74 pupil being suspended poses such a danger to persons or property or
75 such a disruption of the educational process that the pupil shall be
76 excluded from school during the period of suspension, [or] (2) the
77 administration determines that an out-of-school suspension is
78 appropriate for such pupil based on evidence of (A) previous
79 disciplinary problems that have led to suspensions or expulsion of
80 such pupil, and (B) efforts by the administration to address such
81 disciplinary problems through means other than out-of-school

82 suspension or expulsion, including positive behavioral support
83 strategies. An in-school suspension may be served in the school that
84 the pupil attends, or in any school building under the jurisdiction of
85 the local or regional board of education, as determined by such board.

86 (h) On and after July 1, 2011, any pupil who is suspended for
87 violating the provisions concerning bullying of the safe school climate
88 plan, described in section 10-222d, as amended by this act, shall receive
89 an out-of-school suspension."